

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 59th LEGISLATURE - REGULAR SESSION

CONFERENCE COMMITTEE ON SENATE AMENDMENTS TO HOUSE BILL 227

Call to Order: By **SEN. DAN HARRINGTON**, on April 15, 2005 at
10:30 A.M., in Room 472 Capitol.

ROLL CALL

Members Present:

Sen. Dan Harrington, Chairman (D)
Sen. Keith Bales (R)
Rep. Gary Branae (D)
Sen. Jim Elliott (D)
Rep. Kathleen Galvin-Halcro (D)
Sen. Dan Harrington (D)
Rep. Bob Lake (R)
Rep. Scott Sales (R)

Members Excused: None.

Members Absent: None.

Staff Present: Lee Heiman, Legislative Branch
Kyanne Kelly, Committee Secretary

Please Note. These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing & Date Posted: HB 227, 4/12/2005
Executive Action: HB 227

EXECUTIVE ACTION HB 227

REP. KATHLEEN GALVIN-HALCRO said there is a definition of military in the code. She said the senators who proposed the amendment wanted to make sure that the bill didn't provide for long term military service, but only provided for time of military combat.

REP. BOB LAKE asked if someone got assigned to Wyoming and if they could use this for the rest of their life.

Lee Heiman said in order to benefit from this bill it would have to be because they were called to active duty.

SEN. KEITH BALES said if they want to remain on active duty after a call up they would have to quit the Guard and re-enlist, so they wouldn't be eligible for the benefits of this bill.

Roger Hagen, Montana National Guard, said the concern appears to be that someone could be in a reserve unit, placed on active duty, and conceivably never pay property tax. He said current statute does not waive property tax, and the bill under discussion does not waive property tax, it merely provides for a late payment without penalty and interest if someone is outside of the state and can't get to the county treasurer's office to make the payment. He said they could ask someone to represent them to go to the treasurer's office and request a late payment authority and then when they do make the payment there is no penalty or interest. He stated it doesn't preclude them from paying their property taxes. He said theoretically they could get assigned to active duty for twenty years and keep a home in Montana and defer their taxes for 20 years. He doesn't see why anyone would want to do that, but under current statute that could conceivably happen.

He said the people who would use this provision would be a very small group because most people have the taxes included in their mortgage. He stated the bill under discussion was only when someone was on active duty, not the two weeks of training for the Guard in the summer.

Motion/Vote: REP. KATHLEEN GALVIN-HALCRO MOVED THAT SENATE AMENDMENTS TO HB 227 BE ACCEPTED. Motion carried unanimously.

ADJOURNMENT

Adjournment: 10:45 A.M.

SEN. DAN HARRINGTON, Chairman

KYANNE KELLY, Secretary

GB/KB/kk

Additional Exhibits:

EXHIBIT ([cch81hb0227aad0.TIF](#))